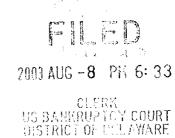
Tom L. Lewis Lewis & Slovak, P.C. P. O. Box 2325 Great Falls, MT 59403 (406) 761-5595



IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

ln ге:) Chapter 11
W.R. GRACE & CO., et al) Case No. 01-01139 (JKF) (Jointly Administered)
Debtors.) Claim No. 00009657) Claim No. 00009658
) Claim No. 00009675

RESPONSE TO DEBTORS' SECOND OMNIBUS OBJECTION TO CLAIMS (NON-SUBSTANTIVE)

On behalf of claimant, Melvin George Parker (Claim Nos. 00009657, 00009658 and 00009675), his attorney, Tom L. Lewis of Lewis & Slovak, P.C., objects to Debtors' Second Omnibus Objection to Claims (Non-Substantive), dated July 21, 2003, and received August 7, 2003, on the basis of improper notice and further responds as follows:

- 1. Claimant's claim is with respect to asbestos contamination from a Grace product in or on the property.
- 2. Claimant's claim is based upon the findings of the U.S. Environmental Protection Agency in its Administrative Record and supplement, test results, and other documentation, as well as information obtained from other sources, including but not limited to local and national news reports, articles and meetings.
- 3. Claimant consented to the production and release of supporting documentation, in the possession of the U.S. Environmental Protection Agency, to Grace and Grace's representatives at the time of submission of claim in March, 2003.
- 4. Claimant has attached supporting documentation, which was not available at the time the proof of claim was filed.



Case 01-01139-AMC Doc 4251 Filed 08/12/03 Page 2 of 12

Respectfully submitted this 8th day of August, 2003.

Lewis & Slovak, P.C.

By:

Tom L. Lewis P.O. Box 2325

Great Falls, MT 59403 (Attorneys for Claimant)

haven M. In

CERTIFICATE OF SERVICE

I hereby certify that a true and legible copy of the foregoing Response to Debtors' Second Omnibus Objection to Claims (Non-Substantive) was served on the 8th day of August, 2003, by fax and by first class mail, upon the following:

James W. Kapp III, Janet S. Baer and Christian J. Lane Kirkland & Ellis, LLP 200 East Randolph Drive Chicago, IL 60601

Scott E. McFarland Pachulski, Stang, Ziehl, Young, Jones & Weintraub, P.C. 919 North Market Street 16th Floor Wilmington, DE 19801

RESPONSE TO DEBTORS' SECOND OMNIBUS
OBJECTION TO CLAIMS (NON-SUBSTANTIVE) - 2

SUSPECT ASBESTOS CONTAINING MATERIAL (ACM) C-

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SUSPECT ASBESTOS CONTAINING MATERIAL (ACM) CHECK LIST

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LIBBY MONTANA SITE INVESTIGATION FIELD SAMPLE DATA SHEET FOR SOIL-LIKE MATERIALS

057

GPS: Northing Owner: MEL PARKED Land Use Category: Residential School Commercial Mining Future Residentia Commercial Logging Roadway Other (Data Item Sample 1 Sample 2 Sample 3 Field ID Number Index ID 1-00428 1-00429 Sample Time 9:28P 9:30P 3:35 Matrix Type (circle) Soil Yard Soil Garden Soil Garden Soil en Soil Play Area Driveway Mining Waste Other (Schop Floor Comp # subsamples # subsamples # subsamples Top Depth (in.) NA NA Bottom Depth (in.) Map Location(s) (Indicate on field sketch) Comments Sample Team: 1000 Holffed 100	.dress or Location ID: P	ARKER RESIDENCE	A A A A B A B A A A A A A A A A A A A A	
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LIBBY MONTANA SITE INVESTIGATION FIELD SAMPLE DATA SHEET FOR SOIL-LIKE MATERIALS

058

dress or Location	ID: LIBBY, MT PAPICER RESIDENCE	
GPS: Northing	Easting:	
Owner: MEL PAR	YEL	
Land Use Category:_	Residential School Commercial Mining Future Residentia	
-	Commercial Logging Roadway Other ()	
Sample Date: 3	19.00 Sampling Team: TODO HOEFEN .	1 VANCE

Data Item	Sample 1	Sample 2	Sample 3
Field ID Number			1
Index ID	1-00572	1-00573	1-00574
Sample Time	3:40 P	3:40P	P- 1
Matrix Type (circle)	Soil Yard Soil Garden Soil Play Area Driveway Mining Waste Other (Soil Yard Soil Garden Soil Play Area Driveway Mining Waste Other	Soil en Soil Area way g Waste
Category (circle)	FD	FD	11.00
Type (circle)	Grab Comp # subsamples	Grab Comp # subsamples	To up # subsamples
Top Depth (in.)	21"	-	
Bottom Depth (in.)	4"		
Map Location(s) (Indicate on field sketch)			-
Comments	SAMPLE FROM MOUND ON SE OUTSIDE COENER OF LOADING FACILITY.	ASCESTOS ROCK FROM SAME MOUND AS 00572	POUND DUTSADE DING FACILITY US ASSESTOS BOTH SIDES OF WIRLY ROCK

LIBBY MONTANA SITE INVESTIGATION FIELD SAMPLE DATA SHEET FOR SOIL-LIKE MATERIALS

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dress or Loc	ation ID: <u>UBBY</u>	ME	PARKER.	RESIDEN	Œ	
GPS: Northing		Easting	·			
Owner: MEL	PARKER	A				
	gory: Residential So				ential	
	Commercial Lo	gging Roa	dway Other	. (_)	
Sample Date:_	3-14-00	Samplin	g Team: <u>160</u>	NO HOEFEN	/J =	n VANCE

Data Item	Sample 1	. Sample 2	Sample 3
Field ID Number			
Index ID	1-00575		
Sample Time			
Matrix Type (circle)	Soil Yard Soil Garden Soil Play Area Driveway Mining Waste Other HOUSED	Soil Yard Soil Garden Soil Play Area Driveway Mining Waste Other	o i Soil len Soil Area eway ng Waste
Category (circle)	FS FD	FS .	-
Type (circle)	Grab Comp # subsamples	Grab Comp # subsamples	Scrap * subsamples
Top Depth (in.)	N/A	And the control of th	
Bottom Depth (in.)	· W/A		
Map Location(s) (Indicate on field sketch)	-	_	-
Comments	WHOOWSILL DUST FROM PARKER RESIDENCE (LIVING ROTOM) WINDOWS		

Sheet No . 112

LIBBY MONTANA SITE INVESTIGATION FIELD SAMPLE DATA SHEET FOR BULK INSULATION

Address or Location ID: 609 9th St.	54(0x25)344)Magazina	
GPS (if no address available): Northing	Hasting	3-
Owner: Mc1 + Leura Packer	MODULA SAFE	
Land Use Category Residential School Commercial	Mining Other ()
Date: 7/13/05 Sampling Team: PES	nd de contacu	

Data Item	Sample 1	Sample 2		Sample 3
Field ID Number		AMPLICATIVE MARKET CONTRACTOR		
Index ID	1-01658			
fatrix Type	Insulation Cloth	Insulation _	Ins	ion
Category (circle)	FS FD	FS FD	FS F	
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Field Comments			And the second s	
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Phase 1 Soil, Bulk

Page 1

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LIBBY MONTANA SITE INVESTIGATION FIELD SAMPLE DATA SHEET FOR

ddress or Location ID: 60	19 91= St.	·
GPS (if no address available): No	orthing	Easting
Owner: Mey + Leran	Parker	
Land Use Category: Residential	School Commercial	Mining Other (U. 1885 3)

Site Visit Date: 6/23/68 Sampling Team: Reco.

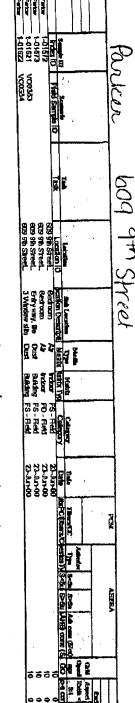
Data Item	Cassette 1	Cassette 2		Cassette 3
Field ID Number				
Index ID	1-01572	1-01573		1-01586
Category (circle)	FS Rep Blank	1 -1-01572 L. Co -/ocake -	R:	Field
Matrix Type (circle)	Indoor Outdoor	Indoor Outdoor	Indoor Outdoo	
Location Description	Bedran	Bed 1880		•
Flow Meter Type	Res	Roto		
low Meter ID No.	8174	8127		
Pump ID Number	3	6		
Start-Date	هه)ځد/ (۵	€/23/05		
Start-Time	67:35	o7.35		
Start-Flow (L/min)	12Lpor	12 4		
Start-Counter	7885 6	75832	e programa	
Stop-Date	6/23/50	6/21/20	Sharing property and the	- Стра
Stop-Time	13:35	13:35	Septim to the Community was bound	
Stop-Flow (L/min)	126pa	repn		
Stop-Counter	8245.6	07943.2		•
Pump fault?	Yes	Yes Yes	Ne	Yes
MET Station onsite?	No Yes	No Yes ·	N¢ .	Yes
Field Comments	Fine: 360 Min Frow: 12 Lpm Vol: 4320 L	hol: 4359 F	and the second s	

LIBBY MONTANA SITE INVESTIGATION FIELD SAMPLE DATA SHEET FOR DUST

000113

Address or Location ID: 609 9th Street	944-m-l-m-n-q-i
GPS (if no address available): Northing hasting	And the second s
Owner: Mela Lerch Farker	Other (
Land Use Category: Residential School Commercial Mining	Other C.

Sampling Team: Stewart sette 3 Cassette 2 Cassette 1 Data Item VC0354 Field ID Number VC0353 Index ID 1-01622 1-01621 ES) FS FSD Category (circle) Blank Blank Blank 3 winder Entery way Location 5,165 Tile Floor Description 300 Sample area (cm²) 300 Rotometer Rotomiter Flow Meter Type Flow Meter ID C1247 TP510 Number 50487Z SOYBIZ Pump ID Number 2.0 Start-Flow (L/min) 2.0 0731 0724 Start-Time 2.0 Stop-Flow (L/min) 2.0 0737 0730 Stop-Time Yes (No) No Yes (Vo) Yes Pump fault? Field Comments



Prese I Air, Dust, Water

problem with sample volume in destations